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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/840,188	05/05/2004	Mark Mathis	29912-719.201

CONFIRMATION NO. 7264

021971
 WILSON SONSINI GOODRICH & ROSATI
 650 PAGE MILL ROAD
 PALO ALTO, CA 943041050

FORMALITIES LETTER



OC000000013203683

Date Mailed: 07/12/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/10/2004 CNGUYEN 00000061 232415 10840188

FILED UNDER 37 CFR 1.53(b)

01 FC:2001 385.00 DA
 02 FC:2051 65.00 DA
 03 FC:2202 63.00 DA

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$63 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:


Total additional fee(s) required for this application is \$513 for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$63

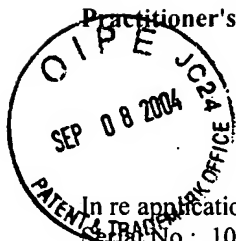
- \$63 for 7 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mark Mathis

Group No.: 3732

Serial No.: 10/840,188

Examiner: Not Yet Assigned

Filed: May 5, 2004

Confirmation No.: 7264

For: DEVICE AND METHOD FOR MODIFYING THE SHAPE OF A BODY ORGAN

Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

COMPLETION OF FILING REQUIREMENTS-NONPROVISIONAL APPLICATION

- I. This replies to the Notice TO File Missing Parts of Application (PTO-1533) mailed July 12, 2004. A copy of the Notice to File Missing Parts of Application - Filing Date Granted (Form PTO-1533) is enclosed.

DECLARATION

- II. No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

SMALL ENTITY STATUS

- III. Applicant claims small entity status. See 37 CFR 1.27.

COMPLETION FEES

1.	Filing Fee: Original patent application (37 C.F.R. 1.16(a))	\$385.00
2.	Fee for Claims: Each claim in excess of 20 (37 C.F.R. 1.16(c))	\$63.00
3.	Fee for Claims: Each independent claim in excess of 3 (37 C.F.R. 1.16(b))	\$0
4.	Surcharge Fee: Late payment of filing fee (37 C.F.R. 1.116(e))	\$65.00
5.	Multiple dependent claim surcharge	\$0
6.	Assignment (See "RECORDATION FORM COVER SHEET")	\$40.00

Total Completion Fees \$553.00

TOTAL FEE DUE

- IV. The total fee due is: Completion fees: TOTAL FEE DUE \$553.00

PAYMENT OF FEES

- V. Charge Deposit Account No. 23-2415 (29912-719.201) in the amount of \$553.00

The Commissioner is authorized to charge any additional fees which may be required, including petition fees and extension of time fees, to Deposit Account No. 23-2415 (29912-719.201)

Date: September 8, 2004

James R. Shay, Reg. No. 32,062

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